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April 3, 2002

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**Art Unit 1626  
Box RCE**

Commissioner for Patents  
Washington, D.C. 20231

Re: Request for Continued Examination (RCE)  
U.S. Utility Patent Application  
Appl. No. 09/360,947; filed July 27, 1999  
For: **Methods for Separating a Tocopherol from a Tocopherol-Containing  
Mixture and Compositions Thereof**  
Inventor: Charles E. Sumner, Jr.  
Our Ref: 1533.1340004/SR1/BLS

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Fee Transmittal (Form PTO/SB/17);
2. Request for Continued Examination (RCE) Transmittal (Form PTO/SB/30);
3. Petition For Extension of Time Under 37 C.F.R. § 1.136(a)(1);
4. Submission Under 37 C.F.R. § 1.114(b), Accompanying Request for Continued Examination under 37 C.F.R. § 1.114;
5. Return postcard; and
6. Our check no. 34731 for \$1,660.00 to cover:  
\$740.00 Request for continued examination (RCE) (37 C.F.R. § 1.17(c)); and  
920.00 Extension for response within third month (37 C.F.R. § 1.17(a)(3)).

Commissioner for Patents

April 3, 2002

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It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Bryan L. Skelton  
Agent for Applicant  
Registration No. 50,893

BLS/dab

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Enclosures



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PTO/SB/30 (08-00)

Approved for use through 10/31/2002 OMB 0651-0031

U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/360,947
Filing Date	July 27, 1999
First Named Inventor	Charles E. Sumner, Jr.
Group Art Unit	1626
Examiner Name	Murray, J.
Attorney Docket Number	1533.1340004/SRL/BLS

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Petition For Extension of Time Under 37 C.F.R. § 1.136(a)(1)

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) **required**)
- b. ☐ Other \_\_\_\_\_

## 3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to credit any overpayments, to Deposit Account No. 19-0036
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$1,660.00 enclosed (including \$740.00 RCE fee and \$920.00 extension fee)
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	BRYAN L. SKELTON STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.	Registration No. (Attorney/Agent)	50,893
Signature		Date	04/03/2002

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

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Signature		Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents, Box RCE, Washington, DC 20231.

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